

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

SAMIN HAQQI, an Individual; and
HUMZA BUSINESS, INC. d/b/a
JAKES MINI MART,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

8:17CV126

ORDER

This matter comes before the Court on the Motion to Compel ([Filing No. 28](#)) filed by Defendant, United States of America.

On November 3, 2017, Defendant served its First Set of Interrogatories and Request for Production of Documents on Plaintiffs' counsel. ([Filing No. 29-1](#)). By agreement of counsel, the deadline for Plaintiffs to respond to these discovery requests was extended to December 18, 2017. On December 12, 2017, counsel for Plaintiffs contacted counsel for Defendant to explain that Plaintiffs' discovery responses would not be provided by their agreed deadline, as Plaintiffs had not responded to any of their counsel's attempts to communicate with them. Counsel for the parties agreed to talk again in January about Plaintiffs' outstanding discovery responses.

On January 3, 2018, counsel for the parties again conferred about Plaintiffs' outstanding discovery responses. According to Plaintiffs' counsel, he had not heard from his clients in six months, and thus could not respond to Defendant's discovery requests. Defendant thereafter requested a telephone conference with the Court prior to filing a motion to compel, in accordance with the Order Setting Final Progression of the Case ([Filing No. 23](#)). The Court held a telephone conference with counsel for the parties on January 23, 2018. Plaintiffs had still not provided any responses to Defendant's discovery requests. Accordingly,

IT IS ORDERED:

1. Defendant's Motion to Compel ([Filing No. 28](#)) is granted. Plaintiffs shall serve complete responses to Defendant's discovery requests on or before **February 26, 2018**.
2. Plaintiffs' failure to comply with this Order may result in imposition of sanctions pursuant to Rule 37 of the Federal Rules of Civil Procedure, including a recommendation that this case be dismissed.

Dated this 5th day of February, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge